

DLC

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Laura H. Penson

Plaintiff(s),

vs.

Mercy Housing - South Loop Apts
Perscha Wilkins - Property Mgr

Defendant(s).

18CV4540
JUDGE CHANG
MAG. JUDGE MARTIN

RECEIVED

JUN 29 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is Laura H. Penson.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

4. Defendant, Porscha Wilkins, is
(name, badge number if known)

☐ an officer or official employed by _____;
(department or agency of government)
_____ or

☒ an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is Porscha Wilkins - Property Mgr.. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.

6. On or about _____, at approximately _____ ☐ a.m. ☐ p.m.
(month, day, year)
plaintiff was present in the municipality (or unincorporated area) of _____
_____, in the County of _____,
State of Illinois, at _____,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (***Place X in each box that applies***):

- ☐ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☐ used excessive force upon plaintiff;
- ☐ failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;
- ☐ failed to provide plaintiff with needed medical care;
- ☒ conspired together to violate one or more of plaintiff's civil rights;

☒ Other:

Sexual Harassment regarding Horace Brumfield
desk clerk

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: (***Leave blank if no custom or policy is alleged***): _____

8. Plaintiff was charged with one or more crimes, specifically:

AK

9. (***Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other"***) The criminal proceedings

- ☐ are still pending.
- ☐ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹
- ☐ Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows _____

☒ Other: Sexual harassment

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

10. Plaintiff further alleges as follows: **(Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.)**

~~On~~ Sept. 2016 I Laura M Brown filed a sexual harassment complaint against Horace Brumfield Desk clerk. Horace Brumfield making sexual comments regarding my body - He would say to me oh you got some pretty breasts and he said to me "I bet you never did it from the back before and he started laughing. I reported the incident to the property manager Perscha Wilkins, Felix Hattcock VP of Residence Services and Elizabeth Cox HR Manager and they did nothing to rectify the problem. Horace Brumfield also tells the tenants ~~at~~ Southloop Apts about my whereabouts in the bldg and he tells me oh I know where you were, what what were you doing in his apt. or he will say I know where you're going over his house

11. Defendant acted knowingly, intentionally, willfully and maliciously.

12. As a result of defendant's conduct, plaintiff was injured as follows:

Horace Brumfield invaded my privacy by exploiting my personal whereabouts in the bldg. Perscha ~~and~~ Wilkins Felix Hattcock and Elizabeth Cox did nothing to rectify the problem

13. Plaintiff asks that the case be tried by a jury. ☒ Yes ☐ No

14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☒ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: _____

Plaintiff's name (print clearly or type): _____

Plaintiff's mailing address: _____

City _____

State _____

ZIP _____

Plaintiff's telephone number: _____

Plaintiff's email address (if you prefer to be contacted by email): _____

lauraperson46@gmail.com

15. Plaintiff has previously filed a case in this district. ☐ Yes ☒ No

If yes, please list the cases below.

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.

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